

Lipsitz Green Scime Cambria

42 Delaware Avenue, Suite 120, Buffalo, New York 14202-3924 P 716 849 1333 F 716 855 1580 (Not for Service) www.lglaw.com

Attorneys at Law

December 6, 2023

James T. Scime Michael Schiavone Richard P. Weisbeck, Jr. Mark L. Stulmaker Barry Nelson Covert Robert L. Boreanaz Thomas M. Mercure John A. Collins Michael P. Stuermer ^{2,3} Jeffrey F. Reina Cherie L. Peterson Joseph J. Manna William P. Moore Thomas C. Burnham Ionathan W. Brown Diane M. Perri Roberts Matthew B. Morey Sharon M. Heim Paul J. Cieslik Gregory P. Krull Robert E. Ziske Patrick J. Mackey 4 Max Humann Justin D. Ginter Erin McCampbell Paris Lynn M. Bochenek Jaime Michelle Cain⁵

Richard A. Maltese, Jr.

Melissa D. Wischerath Robert M. Corp⁵

Christina M. Croglio Michael M. Kane

Alexander R. DiDonato Brittany E. Morgan

Anthony R. Faraco, Jr.

Dale |. Bauman 2, Karoline R. Faltas-Peppes

Taylor D. Golba Amy C. Keller⁸

Hillary E. Panek Candace L. Morrison Ryan C. Johnsen

OF COUNSEL

Paul J. Cambria, Jr. 1,3,5 Patrick C. O'Reilly Herbert L. Greenman Laraine Kelley Joseph J. Gumkowski George E. Riedel, Jr.²

SPECIAL COUNSEL

Richard D. Furlong Scott M. Schwartz Robert A. Scalione² Raymond H. Caso

ALSO ADMITTED IN

- 1 District of Columbia
- 2 Florida 3 California
- 4 Illinois
- 5 Pennsylvania 6 New Jersey
- 7 Oregon

8 Massachusetts 9 Connecticut

Hon. H. Kenneth Schroeder, Jr. United States Magistrate Judge 2 Niagara Square, 7th Floor Buffalo, New York 14202

Re:

Rehmann v. Astec Inc, et al Civ. No.: 21-CV-879 JLS/HKS

Dear Judge Schroeder:

I wanted to confirm that your text order of 12/4/23 (Dkt. 54), which extended the Case Management Order does not impact your Order of 10/26/24 (Dkt. 47) granting plaintiff's motion to compel discovery from defendant Gernatt and the deadlines associated with it, specifically: Gernatt shall comply with the requirements of Rule 26(a)(1) no later than 11/3/2023; Plaintiff may supplement their discovery demands with respect to the initial disclosures no later than 11/17/2023; Gernatt shall respond to plaintiff's discovery demands no later than 12/15/2023; Depositions of the Gernatt employees and former employees shall be completed no later than 2/2/2024.

Respectfully submitted,

LIPSITZ GREEN SCIME CAMBRIA, LLP

s/ Melissa D. Wischerath

Melissa D. Wischerath

MDW:smc

Email: mwischerath@lglaw.com Direct Dial: 716-849-1333 x 397